

**Frederick County  
Fire and Rescue Advisory Council  
Bylaws**

**ARTICLE I - Purpose**

The purpose of the Frederick County Fire and Rescue Advisory Council is to provide a functional management structure that ensures input from volunteer, career and citizen stakeholders is provided and considered during the policy making and policy review process and to keep stakeholder representatives engaged in the management of an integrated, countywide fire and rescue system.

**ARTICLE II - Composition of the Advisory Council**

The Fire and Rescue Advisory Council is an advisory body appointed by the Frederick County Board of County Commissioners. This council is comprised of nine (9) voting and four (4) non-voting members, each having a specific representative role. These representative positions are identified as follows:

Voting Representatives:

A. Frederick County Volunteer Fire and Rescue Association Representatives:

- 1 Representative of Battalion 1 (Companies 1, 2, 3, 4)
- 1 Representative of Battalion 2 (Companies 7, 8, 12, 20, 21)
- 1 Representative of Battalion 3 (Companies 5, 14, 15, 19, 23)
- 1 Representative of Battalion 4 (Companies 9, 11, 16, 17, 22, 24)
- 1 Representative of Battalion 5 (Companies 6, 10, 13, 18, 26, 30)

Should a Battalion fail to provide nominees to represent their volunteer corporations on the Advisory Council, the Frederick County Volunteer Fire and Rescue Association may make nominations to the Board of County Commissioners from “at-large” candidates to fill said position.

\*All volunteer representatives must be full-time residents of Frederick County, Maryland or one of its municipalities.

B. Frederick County Career Firefighters and Paramedics Association Representatives:

- 2 Uniformed Career Employee Representatives

\*All career representatives must be full-time residents of Frederick County, Maryland or one of its municipalities.

C. Citizen Representatives:

- 1 Citizen that is a full-time resident of the City of Frederick, Maryland
- 1 Citizen that is a full-time resident of Frederick County, Maryland, outside of the City of Frederick

\*All citizen appointees shall not be affiliated with the fire and rescue service in any way, so they may purely represent the consumers’ perspective regarding fire and rescue services.

## Non-Voting Representatives:

- A. Board of County Commissioners – liaison to Fire and Rescue Services
- B. President, Frederick County Volunteer Fire and Rescue Association
- C. Jurisdictional Medical Director for Frederick County Fire and Rescue Services
- D. Chief of Fire and Rescue Services, Frederick County

## **ARTICLE III - Council Representative Appointment Procedures**

All voting members of the Frederick County Fire and Rescue Advisory Council shall be appointed to their position by the Frederick County Board of County Commissioners.

### A. Fire and Rescue Representatives

Each representative group (Volunteer Fire – Rescue Association and Career Firefighters and Paramedics Association) shall be responsible to nominate two individuals for each of their representative positions. These nominees shall be forwarded for appointment consideration by the Board of County Commissioners. The Board of County Commissioners shall determine the process for their appointment decision, which may include personal interviews of nominees.

### B. Citizen Representatives

The Board of County Commissioners shall solicit applications for non-fire and rescue affiliated citizens who are interested in serving as Fire and Rescue Advisory Council consumer representatives. The Board of County Commissioners shall follow their established process for citizen appointments to Boards & Commissioners.

The result of their actions shall result in the appointment of one (1) fulltime resident of the City of Frederick and one (1) fulltime resident of Frederick County, outside of the City of Frederick being appointed to the Fire and Rescue Advisory Council for a three-year term.

Final decision on all individuals appointed to the Frederick County Fire and Rescue Advisory Council rests with the Frederick County Board of County Commissioners.

## **ARTICLE IV - Terms of Office**

The term of office for all appointees to the Frederick County Fire and Rescue Advisory Council shall be three years.

### A. Staggered Terms

In order to provide continuity of representation, three year terms shall be staggered among council representatives as follows:

- Year 1 – One volunteer , One career
- Year 2 – Two volunteers , One career and One citizen from Frederick County
- Year 3 – Two volunteers, One citizen from the City of Frederick.

A representative to the Advisory Council can be appointed for no more than two consecutive three year terms, for a maximum of six consecutive years.

Should a voting member of the advisory council resign their position or otherwise be unable to serve before their term expires, the representative organization will be requested to nominate a replacement to fill the remainder of the unexpired term.

Members appointed to the Advisory Council serve at the pleasure of the Board of County Commissioners and their appointment may be terminated by action of the Board of County Commissioners, with or without cause at any time.

Advisory Council members are expected to attend all regular business meetings unless absent for good cause with prior notification made to the Chairman. If any voting member misses three consecutive meetings without just cause, the Chairperson will draft a follow-up letter of inquiry. Persistent absenteeism may result in the Advisory Council's recommendation to the Board of County Commissioners that the offending member's Advisory Council appointment be terminated.

## **ARTICLE V - Election of Advisory Council Officers**

The Fire and Rescue Advisory Council shall operate under the leadership of an elected Chairman and Vice-Chairman. These positions may only be filled by voting members appointed to the Advisory Council.

### **A - Chairman:**

- The Chairman shall be elected annually from among the voting Council members, at the June Council business meeting, with the term of office to begin July 1.
- Eligible candidates for the office of Chairman shall have served on the Council for a period of not less than one year at time of election.
- The Chairman shall preside over all meetings and other proceedings of the Council.
- The Chairman shall have and exercise general supervision over the affairs of the Advisory Council in accordance with the terms and conditions of the Advisory Council Charter and these Bylaws.
- The Chairman shall represent the Council before the Board of County Commissioners and other relevant organizations as necessary.

### **B - Vice-Chairman:**

- The Vice-Chairman shall be elected annually from among the voting Council members, at the June Council business meeting, with the term of office to begin July 1.
- At the request of the Chairman, or in the event of his/her absence or disability, the Vice-Chairman shall perform the duties and possess and exercise the powers of the Chairman.

Chairman and Vice-Chairman positions are open to all voting representatives of the Advisory Council and shall be selected to serve a one-year term by written ballot cast by all voting members. Elections are determined by simple majority.

Should an elected Chairman be unable to serve or fulfill their term of office, the elected Vice-Chairman shall fill the remainder of the Chairman's term and an election shall be conducted to select a new Vice-Chairman for the remainder of the term vacated by the Chairman.

## **ARTICLE VI - Conduct of Meetings**

The Fire and Rescue Advisory Council shall meet regularly on the second Wednesday of each month at 7:00 pm. Meetings will be held at the Frederick County Public Safety Training Facility. If necessary, meeting date, time and location can be changed by the Chairman by providing at least 5 business days notice to all members of the Advisory Council, and a majority of Advisory Council members concur with the change.

## **ARTICLE VII – Quorum and Voting**

- A. Five (5) voting members of the Advisory Council, representing a simple majority, shall constitute a quorum.
- B. A majority affirmative vote of the Advisory Council members present at a valid meeting shall be required to adopt any action other than an amendment to the by-laws, in which case the provisions of Article XIII shall apply.
- C. Each of the nine (9) voting Advisory Council members shall be entitled to one vote for each action item tendered.
- D. Any issue or action voted on by the Advisory Council shall be considered “passed” if it receives a simple majority of affirmative votes cast.
- E. Business conducted by a simple majority vote requires a minimum of five (5) votes and a required super majority vote must have a minimum of seven (7) votes for an action to be ratified by the Advisory Council.
- F. Proxy voting will not be permitted.
- G. The issue/action shall be considered defeated if a tie vote occurs. At the next regularly scheduled business meeting of the Advisory Council, any voting Advisory Council member who was absent from the meeting during which the aforementioned issue/action was defeated can request that the issue be reintroduced and brought to another vote. If a tie vote results from this second balloting, the issue is defeated and cannot be reintroduced.
- H. Once an issue has been defeated, it cannot be brought back on the Advisory Council agenda for action unless it has been modified in some way that might result in a more favorable decision.

## **ARTICLE VIII - Meeting Agenda**

Meetings of the Frederick County Fire and Rescue Advisory Council shall include, but not be limited to the business items listed below.

- I. CALL TO ORDER
- II. ROLL CALL OF VOTING AND NON-VOTING MEMBERS
- III. INTRODUCTION OF GUESTS
- IV. APPROVAL OF PREVIOUS MEETING MINUTES
- V. COUNCIL MEMBER COMMENTS
- VI. EX-OFFICIO MEMBER REPORTS
  - a. BOCC LIASION
  - b. JURISDICTIONAL MEDICAL DIRECTOR
  - c. PRESIDENT, FIRE AND RESCUE ASSOCIATION
  - d. CHIEF OF FIRE AND RESCUE SERVICES
- VII. COMMITTEE REPORTS
  - a. OPERATIONS COMMITTEE
  - b. PLANNING & RESEARCH COMMITTEE
  - c. EMERGENCY MEDICAL SERVICES COMMITTEE

- d. BUDGET COMMITTEE
  - e. TRAINING COMMITTEE
  - f. OTHER
- VIII. DISCUSSION ITEMS
  - a. OLD BUSINESS
  - b. NEW BUSINESS
- IX. ACTION ITEMS
- X. ADJOURNMENT

This agenda template may be modified by the Advisory Council Chairman, to meet the business needs of the Fire and Rescue Advisory Council as deemed necessary.

## **ARTICLE IX - Parliamentary Procedure**

Robert's Rules of Order shall serve as the official guide for parliamentary procedure for the Frederick County Fire and Rescue Advisory Council for any rules of order not specifically addressed herein.

## **ARTICLE X - Committees**

The Fire and Rescue Advisory Council shall provide review of fire and rescue policy, procedure, rules and regulations that will apply to system wide fire and rescue services and organizational components. Technical information, policy review and policy recommendations may be received from a variety of sources, but most prominently will be from the five (5) basic committees established through the Frederick County Volunteer Fire and Rescue Association and Division of Fire and Rescue Services.

These committees include, but are not limited to:

- Operations Committee
- Planning and Research Committee
- Emergency Medical Services Committee
- Budget Committee
- Training Committee

The Fire and Rescue Advisory Council shall have the authority to establish additional Standing or Ad Hoc Committees for the study of specific fire and rescue system policies, procedures, rules, regulations or service delivery issues, as needed.

The Chief of Fire and Rescue Services, President of the Frederick County Volunteer Fire and Rescue Association, Jurisdictional Medical Director and Liaison to the Frederick County Board of County Commissioners may all serve as sources for policy review and policy recommendations that must be vetted by the Fire and Rescue Advisory Council.

## **ARTICLE XI - Fire and Rescue Advisory Council Procedures**

### **A. PROPOSED POLICIES**

Policy proposals may be initiated or requested by the Chief of Fire and Rescue Services, the Frederick County Volunteer Fire and Rescue Association President, the Jurisdictional Medical Director, standing or adhoc committees of the fire and rescue system, the Board of County Commissioners or voting members of the Fire and Rescue Advisory Council.

The Fire and Rescue Advisory Council shall provide policy review and recommendations to the Chief of Fire and Rescue Services for his/her consideration prior to policy adoption or implementation.

Except for emergency situations or circumstances dictated by law or compulsory regulation, the Chief of Fire and Rescue Services is obligated to consult with the Fire and Rescue Advisory Council on matters of system wide policy, procedures, rules and regulations.

**B. STANDING OR AD HOC COMMITTEES**

Standing or Ad Hoc Committees of the fire and rescue system shall be obligated to receive direction from the Fire and Rescue Advisory Council to study operational and administrative issues related to system wide fire and rescue services. Standing and Ad Hoc Committees shall carry out such direction and report back to the Fire and Rescue Advisory Council with findings and recommendations for the Advisory Council's consideration. Study assignments transmitted to standing or ad hoc committees shall include a reasonable deadline by which the committee work shall be completed. A reasonable extension of a committees' work deadline may be granted by the Advisory Council, if justified.

**C. POLICY RECOMMENDATIONS**

The Fire and Rescue Advisory Council shall review and evaluate policy proposals received from the sources identified in Article X and determine the Advisory Councils' policy recommendation to the Chief of Fire and Rescue Services. This determination shall require a simple majority vote.

**D. POLICY COMMENT PERIOD**

Policy recommendations may be forwarded to all fire and rescue system stakeholders for comment prior to action by the Fire and Rescue Advisory Council. This comment period shall be no greater than 30 calendar days from the date of referral and all stakeholder comments must be provided to the Advisory Council in writing.

**E. UNILATERAL ACTION**

The Fire and Rescue Advisory Council is required to make a policy recommendation to the Chief of Fire and Rescue Services within 30 calendar days after the close of the policy comment period. Should this period expire without a policy recommendation being made, the Chief of Fire and Rescue Services may take policy action without Advisory Council recommendation.

**F. POLICY DECISIONS**

Policy authority rests with the Chief of Fire and Rescue Services. The Fire and Rescue Advisory Council shall make policy recommendations to the Chief, who shall consider the weight of their work and recommendations in the decision making process. The Chief of Fire and Rescue Services may take any of the following actions after receipt of the Advisory Councils' policy recommendation:

1. The Chief may accept the Advisory Council recommendation and move forward with policy implementation.
2. The Chief may refer the policy recommendation back to the Advisory Council for additional discussion, clarification or review with committees.
3. The Chief may amend or otherwise modify the policy recommendation and return the policy back to the Advisory Council for additional review and comment.
4. The Chief may consider the recommendation of the Advisory Council, but decide not to follow the Advisory Council's policy recommendation. Should the Chief of Fire and Rescue Services not follow the policy recommendation of the Fire and Rescue Advisory Council, he/she must provide the Advisory Council with a written explanation of why the recommendation was rejected.

#### **G. APPEAL PROCEDURE**

Should the Chief of Fire and Rescue Services reject a policy recommendation of the Fire and Rescue Advisory Council, the Chairman of the Fire and Rescue Advisory Council shall have the right to appeal the decision of the Fire and Rescue Chief to the Board of County Commissioners, providing a super majority (7) of voting members of the Advisory Council agree with this action.

### **Article XII – Staff Support**

The Division of Fire-Rescue Services and Office of Volunteer Fire and Rescue Services shall provide executive and clerical staff support to the Advisory Council. Such support shall include, but not be limited to, providing a recording secretary for all Advisory Council meetings, facilitating agenda development, production and distribution of Advisory Council correspondence and materials, research, and project support.

### **Article XIII– By-law Changes**

- A. Proposed changes to the Advisory Council By-laws must be submitted in writing to the Chairman, who shall ensure timely distribution of written communication reflecting proposed changes to all members of the Advisory Council, voting and non-voting at least ten (10) days prior to the business meeting at which action on proposed changes will be considered.
- B. Advisory Council Bylaws shall be approved, amended, and/or repealed by a super majority vote of no less than seven (7) voting members of the Advisory Council.
- C. The Frederick County Board of County Commissioners reserves to right to approve, amended, and/or repeal provisions of the Fire and Rescue Advisory Council Bylaws and/or Charter at their discretion.